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2010 JUL 30 PM 3: 37

2010 JUL 30 PM 4: 33

OFFICE OF GENERAL COUNSEL
July 30, 2010

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CLIENT/MATTER NUMBER
999100-0130

VIA HAND DELIVERY

Ms. Thomasenia Duncan, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 6306 -- Response to Complaint

Dear Ms. Duncan:

This is in response to the Complaint filed on June 1, 2010 by Sue Lowden for US Senate, by and through its counsel, Charles Spies against Sharron Angle and Friends of Sharron Angle (collectively hereafter "Respondent") ("the Complaint").

The Complaint incorrectly alleges that Respondent accepted an illegal corporate contribution by virtue of certain airplane trips on a private plane without paying the charter rate for the flights as required by law.

The flight(s) at issue were March 26 and March 28, 2010 on a plane owned and piloted by an individual who is a friend of Sharron Angle and her family. The campaign paid the amount requested by the pilot, Edward Rathje, who provided an invoice for the pro-rata share of fuel for the flight(s). Respondent made a reasonable effort to inquire as to the amount owed by the campaign for such flights, being unaware of requirements governing such costs. Mr. Rathje advised Respondent that he could not accept payment at charter rates because his was not a charter aircraft and he was concerned about FAA regulations related to payment of charter rates for the flights.

When it was brought to the attention of Respondent that the Federal Election Campaign Act of 1971, as amended ("FECA") requires payment of the charter rates for flights by federal candidates on private aircraft, Respondent immediately paid to Edward Rathje the full costs for a flight on a comparable charter aircraft and duly reported the payments to the Federal Election Commission ("the Commission") as indicated on the attached pages 182 and Memo Entry page from Respondent's amended Pre-Primary Report filed on June 30, 2010. The comparable charter rate of \$1358.50 was paid in addition to the previous payment for fuel of \$42.10, for a total payment of \$1400.60 for the flight(s) at issue. See Exhibit 1 attached hereto.

BOSTON
BRUSSELS
CHICAGO
DETROIT

JACKSONVILLE
LOS ANGELES
MADISON
MIAMI

MILWAUKEE
NEW YORK
ORLANDO
SACRAMENTO

SAN DIEGO
SAN DIEGO/DEL. HPR
SAN FRANCISCO
SHANGHAI

SILICON VALLEY
TALLAHASSEE
TAMPA
TOKYO
WASHINGTON, D.C.

WASH_7214420.1

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Ms. Thomasenia Duncan, Esq.

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At the time of the flights, the campaign had no legal counsel or FEC compliance firm, which is no longer the situation. A full compliance and legal review system is now in place.

Further, Respondent is now aware of the regulations related to travel on private aircraft, and all flights subsequent to those at issue have been and are being duly paid at the rates appropriate for the particular mode of travel. Any travel on a private plane has been paid at the full charter rate for a comparable aircraft and has been properly reported in accordance with Commission regulations.

The mistake was unintentional and *de minimis*. For these reasons, and because the mistake has been fully remedied, Respondent asks the Commission to dismiss the referenced MUR.

Please contact me at (202) 295-4081 if you have further questions.

Sincerely,

Cleta Mitchell, Esq. Counsel
Friends of Sharron Angle

cc: Alan Mills, Treasurer

10044283148

**FEC
FORM 3**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

SECRETARY OF THE SENATE
10 JUN 30 AM 10:27

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: typing type over the line

Friends of Sharron Angle

ADDRESS (number and street)

P. O. Box 33050

☐ Check if different than previously reported. (ACC)

Room

NY

88033

2. FEC IDENTIFICATION NUMBER

CITY A

STATE A

ZIP CODE A

STATE Y DISTRICT

CD0401765

3. IS THIS REPORT

☐

NEW (N)

OR

☒

AMENDED (A)

NY

00

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

☐

April 15 Quarterly Report (Q1)

☐

July 15 Quarterly Report (Q2)

☐

October 15 Quarterly Report (Q3)

☐

January 31 Year-End Report (YE)

☐

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

☒

Primary (12P)

☐

General (12G)

☐

Runoff (12R)

☐

Convention (12C)

☐

Special (12S)

Election on

08

08

2010

in the State of

NY

(c) 30-Day POST-Election Report for the:

☐

General (30G)

☐

Runoff (30R)

☐

Special (30S)

Election on

in the State of

5. Covering Period

04

01

2010

through

08

10

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Alan B. Mills

Signature of Treasurer

Electronically Filed by Alan B. Mills

Alan B. Mills

Date

06

28

2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office Use Only

FEC FORM 3
(Revised 02/2009)

FE800010

10044283149

10020420595

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 182/204

☒ 17 ☐ 18 ☐ 19a ☐ 19b
20a 21

Any information copied from such Reports and Statements may not be used or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to collect contributions from such committee

NAME OF COMMITTEE (in Full)
Friends of Sharon Angle

A.

Full Name (Last, First, Middle, Initial)
Edward J. Raffo

Transaction ID: SB17.52177
Date of Disbursement

Mailing Address 2477 FINDHORN DR.

06/28/2010

City Reno State NV Zip Code 89506

Amount of Each Disbursement this Period

Purpose of Disbursement
Reimburses Private Air Travel Expenses

002
Category
Type

1388.50

Candidate Name
Friends of Sharon Angle

Office Sought:

☐ House
☒ Senate
☐ President
District: 00

Disbursement For: 2010
☒ Primary ☐ General
☐ Other (specify) _____

[MEMO ITEM]

State: NV

B.

Full Name (Last, First, Middle, Initial)
Balfrey Fuel

Transaction ID: SB17.42870
Date of Disbursement

Mailing Address 5150 Main Anne Ave.

04/18/2010

City Reno State NV Zip Code 89528

Amount of Each Disbursement this Period

Purpose of Disbursement
Candidate Personal auto fuel

002
Category
Type

42.10

Candidate Name
Friends of Sharon Angle

Office Sought:

☐ House
☒ Senate
☐ President
District: 00

Disbursement For: 2010
☒ Primary ☐ General
☐ Other (specify) _____

State: NV

C.

Full Name (Last, First, Middle, Initial)
Southeast Airlines

Transaction ID: SB17.42848
Date of Disbursement

Mailing Address P. O. Box 38847-1CR

04/07/2010

City Dallas State TX Zip Code 75235-1547

Amount of Each Disbursement this Period

Purpose of Disbursement
Candidate Air Fare - Reno to Las Vegas & Return

002
Category
Type

289.70

Candidate Name
Friends of Sharon Angle

Office Sought:

☐ House
☒ Senate
☐ President
District: 00

Disbursement For: 2010
☒ Primary ☐ General
☐ Other (specify) _____

State: NV

SUBTOTAL of Disbursements This Page (optional)

331.50

TOTAL This Period (last page this line number only)

PSN00000

FEC Schedule B (Form 3) (Revised 05/2009)

10044283150

10020420776

FormSchedule: SB17
Transaction ID: SB17.52177

Seawright, NY Tea Party event private aircraft travel 3/25-3/26/13. Air travel expenses reviewed to include a 'reasonable charter fee' of \$1800/hour for a privately owned and flown 1988 Piper Cherokee six passenger aircraft. Total flying time: 8.75 hours (\$180 X 8.75 = \$1575.00). Expenses also reviewed to include airport parking fees (\$21) and a temporary flying club fee (\$34).

10044283151

10020420777